

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA


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|-------------------------|---|------------------------|
| DAVID M. STAGGS, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Case No. CIV-06-1125-T |
| |) | |
| JUSTIN JONES, Director, |) | |
| |) | |
| Respondent. |) | |

ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Gary Purcell, recommending denial of Petitioner's motion to proceed *in forma pauperis*. Petitioner has not objected to the Report but, instead, has paid the \$5.00 filing fee for his Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus.

Accordingly, the Court adopts the Report and Recommendation [Doc. 5] and denies as moot Petitioner's Motion for Leave to Proceed In Forma Pauperis [Doc. 2]. The case is re-referred to Judge Purcell for further proceedings consistent with the initial case referral [Doc. 4].

IT IS SO ORDERED this 14th day of November, 2006.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE